

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
CLAUDETTE O. ISTNICK, PRESIDENT

**AGENDA**

DATE: MONDAY, APRIL 3, 2017  
PLACE: COUNCIL CHAMBERS  
TIME: 6:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILWOMAN LINDA LITMAN
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA
6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

**ORDINANCE NO. 35 – 2017**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 605334, located at 216 – 1<sup>st</sup> St. N.E., Massillon, Ohio, from the City of Massillon to the Community Development Corporation of Massillon (CIC), and declaring an emergency.

**ORDINANCE NO. 36 – 2017**

**BY: STREETS, HIGHWAYS, TRAFFICE & SAFETY COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract upon award and approval of the Board of Control with the lowest and best bidder for the 2017 Catch Basin Replacement Project, and declaring an emergency.

**ORDINANCE NO. 37 – 2017**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1234 Parks and Recreation Fund, the 1215 Law Enforcement Trust Fund and the 1222 Waste Management Grant Fund, for the year ending December 31, 2017, and declaring an emergency.

**ORDINANCE NO. 38 – 2017**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1205 Safety Forces Improvement Fund, for the year ending December 31, 2017.

**ORDINANCE NO. 39 – 2017**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a three-year contract with Otis Elevator for the Massillon Senior Center, and declaring an emergency.

**7. UNFINISHED BUSINESS**

**8. PETITIONS AND GENERAL COMMUNICATIONS**

A letter received from Residences on Lincoln Way, LLC, c/o The NRP Group, LLC, located at 5309 Transportation Blvd., Cleveland, OH 44125. Copy provided to Councilmembers.

**9. BILLS, ACCOUNTS AND CLAIMS**

The Repository - \$ 605.20 Publication of February Ordinances

**10. REPORTS FROM CITY OFFICIALS**

Mayor's Report - February 2017

**11. REPORTS OF COMMITTEES**

**12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER**

**13. CALL OF THE CALENDAR**

**ORDINANCE NO. 16 – 2017**

**BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE**

**Tabled March 20, 2017 until April 3, 2017**

**AN ORDINANCE** designating La Flavour Place S.E. the name for a certain street located in the City of Massillon, Ohio, and described as a street off Lincoln Way East, formerly known as City Hall St. S.E.

**14. THIRD READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 26 – 2017**

**BY: RULES, COURTS & CIVIL SERVICE COMMITTEE**

**AN ORDINANCE** amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – MAYOR'S OFFICE of Ordinance No. 127 – 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES – 110 MAYOR'S OFFICE, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES – 110 MAYOR'S OFFICE, in the City of Massillon, Ohio, and declaring an emergency.

**ORDINANCE NO. 30 – 2017**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2017, and declaring an emergency.

**15. SECOND READING ORDINANCES AND RESOLUTIONS**

**16. NEW AND MISCELLANEOUS BUSINESS**

**17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA**

**18. ADJOURNMENT**

**DIANE ROLLAND – CLERK OF COUNCIL**

DATE: APRIL 3, 2017

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OH  
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 35 – 2017

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 605334, located at 216 – 1<sup>st</sup> St. N.E., Massillon, Ohio, from the City of Massillon to the Community Development Corporation of Massillon (CIC), and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby determines that it is necessary for the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 605334, located at 216 – 1<sup>st</sup> St. N.E., Massillon, Ohio, from the City of Massillon to the Community Development Corporation of Massillon (CIC) for One Dollar (\$1.00) and other valuable consideration.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to transfer Parcel No. 605334, located at 216 – 1<sup>st</sup> St. N.E., Massillon, Ohio, from the City of Massillon to the Community Development Corporation of Massillon (CIC) for One Dollar (\$1.00) and other valuable consideration.

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

This Ordinance is hereby declared to be an emergency for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from the Mayor and after the earliest period allowed by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017

ATTEST: \_\_\_\_\_  
DIANE ROLLAND, CLERK OF COUNCIL

ATTEST: \_\_\_\_\_  
CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
KATHY CATAZARO-PERRY, MAYOR

**QUIT-CLAIM DEED**

**KNOW ALL MEN BY THESE PRESENTS THAT, The City of Massillon, Ohio**, a municipal corporation of Stark County, Ohio, the Grantor, for the consideration of One Dollar and Other Valuable Consideration (\$1.00 O.V.C.), received to its full satisfaction of **The Massillon Community Improvement Corporation**, an Ohio nonprofit corporation, the Grantee, whose tax mailing address is 137 Lincoln Way East, Massillon, Ohio 44646, does hereby grant, bargain, sell and convey unto the said Grantee, its successors and assigns, the following described land, situated in the City of Massillon, County of Stark and State of Ohio:

Situated in the City of Massillon, County of Stark and State of Ohio:

Known as and being those premises described on Legal Description attached hereto and incorporated herein.

**Parcel No. 605334**

Conveyance pursuant to City of Massillon Ordinance No. -2017.

TO HAVE AND TO HOLD the premises aforesaid, with the appurtenances thereunto belonging to the said Grantee(s), his/her/their heirs and assigns, so that neither the said Grantor, nor its successors or assigns, nor any other persons claiming

title through or under it, shall or will hereafter claim or demand any right or title to the premises, or any part thereof; but they and every one of them shall by these presents be excluded and forever barred.

Executed on \_\_\_\_\_, 2017.

**THE CITY OF MASSILLON, OHIO**  
a municipal corporation of Stark County,  
Ohio

By: \_\_\_\_\_  
**JOEL P. SMITH**  
Safety-Service Director

STATE OF OHIO  
SS:  
STARK COUNTY

The foregoing instrument was acknowledged before me on \_\_\_\_\_, 2017, by **Joel P. Smith**, Safety-Service Director of **The City of Massillon, Ohio**, a municipal corporation of Stark County, Ohio, on behalf of the municipal corporation.

\_\_\_\_\_  
Notary Public

**This Instrument Prepared By:**

**MASSILLON LAW DEPARTMENT**  
**Two James Duncan Plaza**  
**Massillon, Ohio 44646**  
**(330) 830-1718**

Situated in the City of Massillon, County of Stark and State of Ohio: Known as and being Lot Number Six Hundred Twenty-Five (625) in said City of Massillon, Ohio, according to the present numbering of lots therein; said premises formerly known as part of Lot Number Two Hundred Forty (240) in the City of Massillon, Ohio, bounded and described as follows to wit: Beginning at a point in the west line of said lot, distant southerly thereon Seventy (70) feet from the northwest corner of said lot, running thence southerly along the west line of said lot, Fifty (50) feet to a stone; thence easterly, parallel with the south line of said lot, Eighty-Two (82) feet; thence northerly parallel with the east line of said lot, Fifty (50) feet; thence westerly, parallel with the south line of said lot, Eighty-Two, (82) feet to the place of beginning, and being and intended to be the tract of Fifty (50) feet by Eighty-Two (82) out of said Lot Number 240 conveyed by Charles E. Hammersmith to Elmira Whitmer by deed dated May 12, 1904 and recorded in Volume 423, Page 474 of the Stark County Records.



DATE: APRIL 3, 2017

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OH  
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 36 – 2017

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract upon award and approval of the Board of Control with the lowest and best bidder for the 2017 Catch Basin Replacement Project, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it necessary in the public health, safety and welfare for the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into a contract with the lowest and best bidder, upon approval of the Board of Control, for the 2017 Catch Basin Replacement Project.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to advertise for and receive sealed bids and enter into a contract with the lowest and best bidder, upon approval of the Board of Control, for the 2017 Catch Basin Replacement Project.

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

This Ordinance is hereby declared to be an emergency for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017

ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: \_\_\_\_\_

KATHY CATAZARO-PERRY, MAYOR

DATE: APRIL 3, 2017

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 37 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1234 Parks and Recreation Fund, the 1215 Law Enforcement Trust Fund and the 1222 Waste Management Grant Fund, for the year ending December 31, 2017, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and hereby is appropriated from the unappropriated balance of the 1234 Parks and Recreation Fund, for the year ending December 31, 2017, the following:

\$ 20,000.00 to an account entitled "Services/Contracts" - 1234.920.5.2392

Section 2:

There be and hereby is appropriated from the unappropriated balance of the 1215 Law Enforcement Trust Fund, for the year ending December 31, 2017, the following:

\$ 10,000.00 to an account entitled "Supplies/Mats./Postage" - 1215.305.5.2410

Section 3:

There be and hereby is appropriated from the unappropriated balance of the 1222 Waste Management Grant Fund, for the year ending December 31, 2017, the following:

\$ 5,000.00 to an account entitled "Supplies/Mats./Postage" - 1222.605.5.2410

Section 4:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 5:

This Ordinance is declared to be an emergency measure necessary for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017

ATTEST:

\_\_\_\_\_  
DIANE ROLLAND, CLERK OF COUNCIL

\_\_\_\_\_  
CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
KATHY CATAZARO-PERRY, MAYOR

DATE: APRIL 3, 2017

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 38 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1205 Safety Forces Improvement Fund, for the year ending December 31, 2017.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and hereby is appropriated from the unappropriated balance of the 1205 Safety Forces Improvement Fund, for the year ending December 31, 2017, the following:

\$ 20,000.00 to an account entitled "Services/Contracts" - 1205.125.5.2392

Section 2:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 3:

Provided this Ordinance receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017

ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED:

KATHY CATAZARO-PERRY, MAYOR

DATE: APRIL 3, 2017

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 39 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a three-year contract with Otis Elevator for the Massillon Senior Center, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

This Council of the City of Massillon, Ohio, hereby determines it necessary in the public health, safety and welfare for the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a three-year contract with Otis Elevator. The three-year contract is for the maintenance and safety inspection of the elevator at the Massillon Senior Center.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a three-year contract with Otis Elevator for the Massillon Senior Center. The agreement cost is \$3,900.00 per year with the total three-year agreement at the cost of \$11,700.00.

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

That this Ordinance is declared to be an emergency measure for the immediate preservation of the health, safety and welfare of the community and for those that utilize the services of the Massillon Senior Center. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017

ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED:

KATHY CATAZARO-PERRY, MAYOR



# RESIDENCES ON LINCOLN WAY LLC

c/o The NRP Group LLC • 5309 Transportation Blvd. • Cleveland, OH 44125 • ph (216) 475-8900 • fax (216) 475-9300  
[www.residencesonlincolnway.com](http://www.residencesonlincolnway.com)

Residences on Lincoln Way  
The NRP Group LLC  
5309 Transportation Boulevard  
Cleveland, OH 44125  
Aaron Pechota  
(216) 475-8900 Ext. 1100

RECEIVED MAR 16 2017

*Scr*

February 1, 2017

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Diane Rolland  
Clerk of Council  
City of Massillon  
One James Duncan Plaza  
Massillon, OH 44646

RE: Residences on Lincoln Way

Dear Ms. Rolland:

The purpose of this letter is to apprise your office that NRP Residences on Lincoln Way LLC plans to be the managing member of a residential rental development located in or within a one-half mile radius of your political jurisdiction, and will submit an application to utilize the multifamily funding programs of the Ohio Housing Finance Agency (OHFA) for the development of this property.

Residences on Lincoln Way is an affordable housing development targeted toward families. The newly constructed building will consist of up to 60 units and will be affordable to households with incomes at or below 60% of Area Median Income (AMI). Additional information can be accessed at <http://residencesonlincolnway.com>

The proposed development will be financed with a conventional first mortgage, Housing Credit proceeds, and deferred developer fees.

Development Team:

Managing Member:	NRP Residences on Lincoln Way LLC
Developer:	NRP Holdings LLC
Contractor:	NRP Contractors LLC
Property Manager:	NRP Management LLC

Project Address: V/L Lincoln Way, Massillon, Stark County, OH 44646

Number of Units: Up to 60

Program(s) Utilized in the Project: Housing Credit Program, Multifamily Lending Program, and Housing Development Loan Program.

Right to Submit  
Comments:

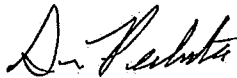
You have the right to submit comments to the agency regarding the proposed project's impact on the community and that objection to the project must be submitted in writing and signed by a majority of the voting members of the legislative body. Comments must be submitted within 30 days of this notice and received by the agency with 45 days of this notice.

The person to be notified at OHFA and their address is:

Mr. Douglas A. Garver, Executive Director  
Ohio Housing Finance Agency  
57 E. Main Street  
Columbus, OH 43215

OHFA will provide a written response to any objections submitted under the terms outlined above.

Sincerely,

A handwritten signature in cursive script, appearing to read "A. Pechota".

Aaron Pechota  
Senior Vice President Development